

## Case study 1: Tobacco Industry front group's interference tactics and its prevention by civil society groups in India

### **BACKGROUND:**

Tobacco industry uses various tactics to subvert tobacco control policy making. Here we discuss a case of how it attempts to influence policy makers through the use of front groups to represent its interests and methods used by civil society groups to counter it.

### **CASE:**

The 12th annual Asia Pacific Tax Forum (APTF) was planned in New Delhi from 5<sup>th</sup> to 7<sup>th</sup> May 2015. The forum was co-organized by the International Tax and Investment Centre (ITIC) and the website also mentioned the support of the World Bank to provide technical assistance and participation of several government delegations.

ITIC claims to be an “independent, non-profit research and education organization to promote tax reform and public-private initiatives to improve the investment climate in transition and developing economies. But its sponsors list boasts of major tobacco trans-nationals like British American Tobacco (BAT), Imperial tobacco Ltd, Philip Morris International and representatives from these companies are also directors on the board of ITIC. Further, ITIC is a known front group for the tobacco industry and organizes such conferences to influence policy makers and subvert policies in interest of tobacco industry. For example, on 12th October 2014, the morning before the sixth Conference of the Parties (COP6) of the Framework Convention on Tobacco Control (FCTC) in Russia, ITIC hosted an exclusive event in Moscow for representatives of Ministries of Finance in an attempt to derail the adoption of FCTC Article 6 tax guidelines. To counter this, the secretariat of the UN treaty sent a note to all parties, including India, highlighting the link between ITIC and the tobacco industry. In her opening address to the COP, Margaret Chan, Director-General of the World Health Organization (WHO), denounced ITIC’s effort to undermine the adoption of “robust, expert- driven proposed guidelines on tobacco tax and price policy”.

The APTF event in India on its website had confirmed participation from Mr. Jayant Sinha; State Minister of Finance of India; Central Government, Mr. Arvind Subramaniam; Chief Economic Advisor to the Prime Minister, officials from Central Board of Direct Taxation (CBDT), Central Board of Excise and Customs and representatives from various state governments of the country. It should be noted that the participation of these officials would be in direct conflict with Article 5.3 of FCTC which aims to prevent tobacco industry interference in policy making in countries that have ratified the FCTC.

### **ACTION:**

The event was brought to the notice of Institute of Public Health (IPH), Bangalore by Ms. Shobha John, Health Bridges and several follow up activities were planned to counter this event. In consultation with Centre for Legal and Policy Research (CLPR), Bangalore, legal notices were sent to the individual member and state governments who had confirmed participation in the event.

The issue was also taken to the notice of Parliamentary Ethics Committee of the Indian lower House of Parliament, the *Lok Sabha* to prevent an elected official from attending an event organized by the tobacco industry. These actions were reported widely in the [media](#) which questioned the motive of government officials attending the event. Technical support for all of these actions was provided by the Campaign for Tobacco Free Kids (CTFK). Simultaneously an e-mail was sent to the World Bank officials by IPH to alert about providing support to an event organized by a front group of the tobacco industry. Furthermore, the South East Asia Tobacco Control Alliance (SEATCA) which is the ASEAN tobacco control resource center was alerted to take steps to prevent participation of government officials from other South East Asian countries in this event.

## **OUTCOME:**

The office of State Minister of Finance denied that he had confirmed attendance and did not attend the event. Subsequently his name was also taken off from the ITIC [website](#).

Standing by its official policy of not supporting tobacco industry in any form, the World Bank decided to [reject](#) ITIC's request for technical and financial support to the forum.

SEATCA promptly issued a [notice](#) to ASEAN countries to stay away from the event.

In spite of these efforts, few government officials from India and international delegates [participated](#) in the event.

Interestingly, a [manual](#) which was later brought out by ITIC clearly propagates tax measures with regard to tobacco that are of interest to tobacco industry such as phasing out ear-marked taxes on tobacco.

This concerted effort by civil society groups has been now been made a case study in the implementation of FCTC database [website](#).

## **LEARNINGS:**

The above discussed case demonstrates that action against tobacco industry can have a positive impact if civil society groups keep an active watch, collaborates, strategizes and takes timely action.